

Remarks:

1. Applicant thanks Examiner for his review of the present application. Claims 32 – 47 were pending at the time of examination. Examiner has rejected claims 32 – 38 and 42 – 47 and withdrawn claims 42 – 47 from examination.

2. **Amendments to the Claims:** Claim 32 was amended to include language reciting an arrangement of conical elements such that at least one straight line of said cone wall of a first conical element extends substantially parallel to at least one straight line in said cone wall of an adjacent conical element so as to form a straight strut between said vertex of said first conical element and said adjacent conical element. Underlined text added. FIG. 4 as originally filed shows an overlapping arrangement of conical elements. FIG. 14 shows an overlapping arrangement of conical elements 5A, 5B, 5C and the "straight struts" that extend between vertexes V_B , V_A , and V_C . The strut-forming straight lines of the cone walls are the straight line that extends from one vertex toward another vertex and overlaps the straight line of an adjacent conical element. The two straight lines extend parallel to each other. Claim 33 was amended to correct antecedence. Claims 39 – 41 have been cancelled. These amendments introduce no new subject matter and Applicant respectfully requests approval and entry of amended claim 32 and all its dependent claims.

3. **Rejection of Claims under 35 U.S.C. § 103(a):** Examiner rejected claims 32 – 36, 42 – 44, and 46 – 47 under 35 U.S.C. § 103(a) as being unpatentable over **Chamberlain (4,270,320)** in view of **Tuitt (3,785,066)**. Examiner asserted that **Chamberlain** shows all the claimed elements of claim 32, except for showing a cone wall defined by straight lines that extend from the cone base to the vertex. Examiner relies on **Tuitt** to show a conical element having a cone wall defined by straight lines that extend from the base and intersect each other at the vertex.

4. As discussed extensively in previous responses, the elements in the **Chamberlain** structure are spherical elements. The elements are uniformly curved and each point on the element is a radial distance away from the center of a sphere that is formed when the elements are placed such that they form a sphere or a partial sphere. The elements do not have a straight line.

5. The elements disclosed by **Tuitt** are flat-sided, polyhedral-shaped elements that are formed by folding a flat symmetrically formed sheet into a polyhedron. **Tuitt** does not disclose an arrangement of elements in which two of the straight lines of the cone wall, one each from an adjacent cone, extend parallel to each other and form a straight strut between vertexes. **Tuitt** FIGS. 47 – 51 disclose various arrangements of polyhedral shapes. Although some elements have a straight line that runs parallel to a straight line of an adjacent element, the straight lines are not the lines that define the cone wall. Furthermore, each straight line extending from a vertex meets with the base of an adjacent element, so that the straight lines of adjacent elements never form a straight strut between the vertexes of the adjacent elements.

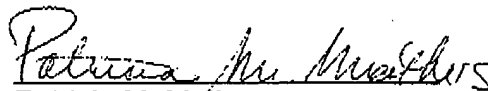
6. **Chamberlain** and **Tuitt**, alone or in combination with each other, do not disclose, teach, suggest, or motivate one to construct a structure with all the elements recited in claim 32 of the present application. Both of the cited references teach away from using the conical shape that is claimed in the present application. **Chamberlain** teaches an arrangement of spherical shapes and **Tuitt** teaches folding a flat sheet into a polyhedral shape. Neither of these references suggests in the remotest way the use of a conical element as claimed. Neither of the cited references teaches an arrangement of conical elements that forms a straight strut between vertexes of adjacent conical elements. Thus, they do not and cannot render Claim 32 obvious. Applicant respectfully submits that Claim 32 as currently amended contains allowable subject matter, and requests that Examiner withdraw all his rejections and allow this amended Claim 32 and its

dependent claims.

7. Claims 32 and 33 were amended and claims 39 – 41 cancelled. Arguments were presented that traverse each and every argument presented by Examiner. Applicant requests allowance of claims 32 – 38 and 42 – 47.

8. This application is being filed within the statutory shortened period. The number of claims has not been increased. Thus, no additional fees are due.

Respectfully submitted,



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